

Notice of Allowability

Application No.

09/892,730

Examiner

Jonathan G. Sterrett

Applicant(s)

PERRELLA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6-13-06.
2. ☒ The allowed claim(s) is/are 1-16, 18-20, 22 and 24-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20060816.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Ronain Jasty
Primary Examiner
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Examiner's Amendment

1. An examiner's amendment to the record is attached to the Office Action. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Murrell Blackburn, Reg. 50,881 on 18 August 2006. See attached interview summary.

2. Examiner amends **Claims 9, 16, 18, 25, 26, 27, 28** and cancels **Claim 17**.

1. (Previously Presented) A computer-implemented method for providing location-sensitive and time-sensitive calendaring to a wireless device, the method comprising the steps of:

determining that a time reading is within a predetermined minimum of a meeting start time of an appointment of a calendar of a user, wherein the appointment comprises a meeting start time, a meeting place and a plurality of meeting attendees stored in association with the appointment on the wireless device and wherein the time reading is the present time;

determining the location of the user based on the location of the wireless device;

determining the location of the meeting place;

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determining an estimated time of arrival of the user at the meeting place based on a velocity of the user;

if the estimated time of arrival is after the meeting start time, then sending a late message from a server to the plurality of meeting attendees via a wireless network; sending a roll call request to the plurality of meeting attendees;

receiving at least one of current locations or approximate arrival times of the plurality of attendees in response to sending the roll call request; and

providing a notification to the user as to when to proceed to the meeting place in order to be on time based on the estimated time of arrival.

2. (Original) The method of claim 1 wherein the location of the meeting place is determined based on a stored list of meeting location coordinates.

3. (Previously presented) The method of claim 1 wherein determining the estimated time of arrival further comprises determining the estimated time of arrival using historical data wherein the historical data comprises a database comprising a plurality of time stamps and location coordinates of the wireless device.

4. (Original) The method of claim 3 wherein the step of determining the estimated time of arrival comprises the steps of:

finding the location of the user in the database;

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finding the location of the meeting place in the database;

determining the difference between the time stamp corresponding to the location of the user and the time stamp corresponding to the location of the meeting place; and

adding the difference to the time reading to generate the estimated time of arrival.

5. (Original) The method of claim 4 wherein the step of sending a late message to the plurality of meeting attendees comprises sending the late message to a plurality of wireless devices associated with the plurality of meeting attendees.

6. (Original) The method of claim 1 wherein the step of determining the location of the user based on the location of the wireless device comprises using a global positioning system (GPS) receiver in the wireless device to determine the location of the wireless device.

7. (Original) The method of claim 1 wherein the step of determining the location of the user based on the location of the wireless device comprises using a cellular tower triangulation method to determine the location of the wireless device.

8. (Original) The method of claim 1 wherein the step of determining

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the location of the user based on the location of the wireless device comprises using an E,911 location information method in the wireless device to determine the location of the wireless device.

9. (Currently amended) A computer-implemented method for providing location-sensitive and time-sensitive calendaring to a wireless device, the method comprising the steps of:

determining that a time reading is within a predetermined minimum of a meeting start time of an appointment of a calendar of a user, wherein the appointment comprises a meeting start time, a meeting place and a plurality of meeting attendees stored in association with the appointment on the wireless device and wherein the time reading is the present time;

determining the location of the user based on the location of the wireless device;

determining the location of the meeting place;

~~receiving a mode of transportation for the user comprising an~~

~~indication as to whether the user is traveling by foot;~~

determining an estimated time of arrival of the user at the meeting place based on ~~the mode of transportation for~~ a velocity of the user;

if the estimated time of arrival is after the meeting start time, then sending a late message from a server to the plurality of meeting attendees via a wireless network ~~to the wireless device indicating the estimated time of arrival;~~

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s e n d i n g a r o l l c a l l r e q u e s t t o t h e p l u r a l i t y o f m e e t i n g a t t e n d e e s ;
r e c e i v i n g a t l e a s t o n e o f c u r r e n t l o c a t i o n s o r a p p r o x i m a t e a r r i v a l t i m e s
o f t h e p l u r a l i t y o f a t t e n d e e s i n r e s p o n s e t o s e n d i n g t h e r o l l c a l l r e q u e s t ; a n d
p r o v i d i n g a n o t i f i c a t i o n t o t h e u s e r a s t o w h e n t o p r o c e e d t o t h e
m e e t i n g p l a c e i n o r d e r t o b e o n t i m e b a s e d o n t h e e s t i m a t e d t i m e o f a r r i v a l .

10. (Original) The method of claim 9 wherein the location of the meeting place is determined based on a stored list of meeting location coordinates.

11. (Previously Presented) The method of claim 9 wherein determining the estimated time of arrival further comprises determining the estimated time of arrival using historical data wherein the historical data comprises a database comprising a plurality of time stamps and location coordinates of the wireless device.

12. (Original) The method of claim 11 wherein the step of determining the estimated time of arrival comprises the steps of:

finding the location of the user in the database;

finding the location of the meeting place in the database;

determining the difference between the time stamp corresponding to the location of the user and the time stamp corresponding to the location of the meeting place; and

adding the difference to the time reading to generate the estimated time of

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arrival.

13. (Original) The method of claim 9 wherein the step of determining the location of the user based on the location of the wireless device comprises using a global positioning system (GPS) receiver in the wireless device to determine the location of the wireless device.

14. (Original) The method of claim 9 wherein the step of determining the location of the user based on the location of the wireless device comprises using a cellular tower triangulation method to determine the location of the wireless device.

15. (Original) The method of claim 9 wherein the step of determining the location of the user based on the location of the wireless device comprises using an E.911 location information method in the wireless device to determine the location of the wireless device.

16. (Currently amended) A system for providing location-sensitive calendar information to a wireless device, the system comprising:

a wireless device in communication with a server via a wireless network wherein the wireless device stores a plurality of meeting attendees in association with an appointment, the appointment comprising a meeting start time and a meeting location; and

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a calendaring program running on the server, whereby the server determines a present time and a present location of the wireless device of a user, whereby the server compares the present time and the present location to the meeting time and the meeting location in a calendar file associated with the user to determine an estimated time of arrival;

if the estimated time of arrival is after the meeting start time the-server sends a late message to the wireless device and to a plurality of wireless devices associated with the plurality of meeting attendees; and

the server sends a roll call request to the wireless devices of the respective plurality of meeting attendees; and

the server receives at least one of current locations or approximate arrival times of the plurality of attendees from the wireless devices of the respective plurality of meeting attendees in response to sending the roll call request; and

the server provides a notification to at least one wireless device as to when the meeting attendee should proceed to the meeting place in order to be on time ~~based on the distance between the location of, the at least one meeting attendee and the location of the meeting place~~ the estimated time of arrival.

17. (cancelled)

18. (Currently amended) A computer-implemented method for providing location-sensitive and time-sensitive calendaring to a wireless device, the method comprising the steps of:

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~~determining that a request for a roll call of an appointment of a calendar of a user has been received, wherein the appointment comprises a plurality of meeting attendees;~~

~~determining a location of each of the plurality of meeting attendees based on a location of a wireless device associated with each of the plurality of meeting attendees;~~

~~determining the location of the meeting place;~~

~~determining an estimated time of arrival of each of the plurality of meeting attendees at the meeting place based on a mode of transportation of each of the plurality of meeting attendees;~~

~~providing a notification to the user as to when to proceed to the meeting place in order to be on time based on an estimated time of arrival for the user;~~
~~and~~

~~sending the estimated time of arrival for each of the plurality of meeting attendees to the wireless device of the user~~

determining that a time reading is within a predetermined minimum of a meeting start time of an appointment of a calendar of a user, wherein the appointment comprises a meeting start time, a meeting place and a plurality of meeting attendees stored in association with the appointment on the wireless device and wherein the time reading is the present time;

determining the location of the user based on the location of the wireless device;

determining the location of the meeting place;

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determining an estimated time of arrival of the user at the meeting place based on a velocity of the user;

if the estimated time of arrival is after the meeting start time, then sending a late message from a server to the plurality of meeting attendees via a wireless network; s e n d i n g a r o l l c a l l request to the plurality of meeting attendees;

receiving at least one of current locations or approximate arrival times of the plurality of attendees in response to sending the roll call request; and

providing a notification to the user as to when to proceed to the meeting place in order to be on time based on the estimated time of arrival.

19. (Original) The method of claim 18 further comprising the step of sending the location of each of the plurality of meeting attendees to the wireless device of the user.

20. (Previously presented) The method of claim 19 wherein the estimated time of arrival and location are displayed to the user in a short messaging service (SMS) message.

21. (Canceled).

22. (Previously presented) The method of claim 9 further comprising providing a notification to the wireless device as to when the user should

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proceed to the meeting place in order to be on time based on the estimated time of arrival.

23. (Canceled).

24. (Previously Presented) The method of claim 18 further comprising providing a notification to the wireless device associated with each of the plurality of meeting attendees as to when each of the plurality of meeting attendees should proceed to the meeting place in order to be on time based on the location of each of the plurality of meeting attendees with respect to the location of the meeting place.

25. (Currently Amended) A computer program product comprising a computer-readable medium having control logic stored therein for causing a computer to provide location-sensitive and time-sensitive calendaring, the control logic comprising computer-readable program code for causing the computer to:

~~determine an approaching calendar event wherein the approaching calendar event comprises a start time, a location, and at least one calendar event attendee;~~

~~determine the location of the approaching calendar event;~~

~~determine a location of the at least one calendar event attendee; and~~

~~estimate commute time required for the at least one calendar event attendee to travel from the location of the at least one calendar event attendee to~~

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~~the location of the approaching calendar event based on a velocity of the calendar event attendee.~~

determine that a time reading is within a predetermined minimum of a meeting start time of an appointment of a calendar of a user, wherein the appointment comprises a meeting start time, a meeting place and a plurality of meeting attendees and wherein the time reading is the present time;

determine the location of the user;

determine the location of the meeting place;

determine an estimated time of arrival of the user at the meeting place based on a velocity of the user;

if the estimated time of arrival is after the meeting start time, then send a late message from a server to the plurality of meeting attendees via a wireless network;

send a roll call request to the plurality of meeting attendees;

receive at least one of current locations or approximate arrival times of the plurality of attendees in response to sending the roll call request; and

provide a notification to the user as to when to proceed to the meeting place in order to be on time based on the estimated time of arrival.

26. (Currently Amended) The computer program product of claim 25,

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further comprising computer-readable program code for causing the computer to provide a notification as to when ~~the~~ at least one ~~calendar-event~~ of the meeting attendees should proceed to the location of the ~~calendar-event~~ meeting place in order to be on time based on a difference between the location of the approaching meeting ~~calendar-event~~ and the location of ~~the~~ at least one ~~calendar event~~ of the meeting attendees.

27. (Currently Amended) The computer program product of claim 25, further comprising computer-readable program code for causing the computer to estimate the commute time required based on a mode of transportation for ~~the~~ at least one ~~calendar-event~~ of the meeting attendees.

28. (Currently Amended) The computer program product of claim 25, wherein the computer-readable program code for causing the computer to determine the location of ~~the~~ at least one ~~calendar-event~~ of the meeting attendees comprises computer-readable program code for causing the computer to determine a location for each of a the plurality of ~~calendar-event~~ meeting attendees.

29. (Canceled).

Allowable Subject Matter

3. **Claims 1-16, 18-20, 22, and 24-28** are allowed.

Reasons for Allowance

4. The following is a statement of reasons for the indication of allowable subject matter:

None of the prior art of record, taken individually or in any combination, teach, inter alia,

determining that a time reading is within a predetermined minimum of a meeting start time of an appointment of a calendar of a user, wherein the appointment comprises a meeting start time, a meeting place and a plurality of meeting attendees stored in association with the appointment on the wireless device and wherein the time reading is the present time;

determining the location of the user based on the location of the wireless device;

determining the location of the meeting place;

determining an estimated time of arrival of the user at the meeting place based on a velocity of the user;

if the estimated time of arrival is after the meeting start time, then sending a late message from a server to the plurality of meeting attendees via a wireless network;

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s e n d i n g a r o l l c a l l request to the plurality of meeting attendees;

receiving at least one of current locations or approximate arrival times of the plurality of attendees in response to sending the roll call request; and

providing a notification to the user as to when to proceed to the meeting place in order to be on time based on the estimated time of arrival,

as recited in independent **Claims 1, 9, 16, 18 and 25**.

The novelty of the invention is in the combination of the limitations cited in independent **Claims 1, 9, 16, 18 and 25** and not in any specific individual claim limitation.

The prior art reference most closely resembling the applicants claimed invention is Tognazzini (U.S. Patent 5,790,974) (hereinafter **Tognazzini**).

While **Tognazzini** discloses:

determining that a time reading is within a predetermined minimum of a meeting start time of an appointment of a calendar of a user, wherein the appointment comprises a meeting start time, a meeting place and a plurality of meeting attendees stored in association with the appointment on the wireless device and wherein the time reading is the present time;

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determining the location of the user based on the location of the wireless device;

determining the location of the meeting place;

determining an estimated time of arrival of the user at the meeting place based on a velocity of the user;

if the estimated time of arrival is after the meeting start time, then sending a late message via a wireless network.

However, **Tognazzini** fails to disclose:

s e n d i n g a r o l l c a l l request to the plurality of meeting attendees;

receiving at least one of current locations or approximate arrival times of the plurality of attendees in response to sending the roll call request; and

providing a notification to the user as to when to proceed to the meeting place in order to be on time based on the estimated time of arrival,

as recited in **Claims 1, 9, 16, 18 and 25**.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jandrell JP 11168478 A discloses a method for determining radio position.

Bansal US 6898569 discloses a method and apparatus for advanced scheduling and messaging.

Blants US 6732080 discloses a system and method for providing personal calendar services.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-272-6881. The examiner can normally be reached on 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JGS

JCS

8-16-2006

Patricia J. Janty
Primary Examiner
Art Unit 3623